

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**GRAHAM CHASE ROBINSON**

*Plaintiff,*  
v.

**ROBERT DE NIRO and  
CANAL PRODUCTIONS, INC.,**

*Defendants.*

**Case No. 1:19-cv-09156-LJL-KHP**

**DECLARATION OF ALEXANDRA HARWIN, ESQ.  
IN OPPOSITION TO DEFENDANTS' MOTION FOR SANCTIONS**

ALEXANDRA HARWIN, Esq. hereby declares, under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an attorney with the law firm of Sanford Heisler Sharp, LLP, which is counsel to Plaintiff Graham Chase Robinson (“Plaintiff”) in the above-captioned matter. I am fully familiar with the pleadings and proceedings in this action and with the matters set forth herein.

2. I submit this Declaration in opposition to Defendants’ Motion for Sanctions.

3. A telephonic meet-and-confer was held between Plaintiff’s counsel and Defendants’ counsel on May 4, 2020. As part of that meet-and-confer, Plaintiff’s counsel and Defendants’ counsel discussed Plaintiff’s equal pay and overtime claims. During that discussion, Plaintiff’s counsel provided citations to legal authority supporting the equal pay claims. Defendants’ counsel did not present contrary legal authority, never mentioned Rule 11, and instead represented that they would eventually seek summary judgment. Meanwhile, Plaintiff’s counsel expressed an openness to suggestions from Defendants to streamline discovery, but Defendants made no suggestions to streamline discovery concerning the equal pay and overtime claims.

Instead, the parties agreed to employ search terms concerning all claims and defenses in this case, including the equal pay and overtime claims.

4. Attached as Exhibit 1 is a true and correct copy of the Report of Rule 26(f) Meeting and Proposed Case Management Plan in this case, dated January 23, 2020.

5. Attached as Exhibit 2 is a true and correct copy of excerpted pages from the transcript of the deposition of Robert De Niro, taken on April 4, 2022.

6. Attached as Exhibit 3 is a true and correct copy of correspondence dated April 3, 2017, June 13, 2017, and June 14, 2017, involving Ms. Robinson, Mr. De Niro, Canal employee Dan Harvey, and Mr. De Niro's doctor, along with third party Chelsie McCarthy, as produced by Defendants at CANAL\_0045899-CANAL\_0045900, and containing Defendants' redactions.

7. Attached as Exhibit 4 is a true and correct copy of correspondence dated March 18, 2019, involving Ms. Robinson, Mr. De Niro, Canal employee Dan Harvey, and Mr. De Niro's doctor, as produced by Defendants at CANAL\_0046514-CANAL\_0046515.

8. Attached as Exhibit 5 is a true and correct copy of correspondence dated June 11, 2017, involving Ms. Robinson and Mr. De Niro, as produced by Defendants at CANAL\_0045898.

9. Attached as Exhibit 6 is a true and correct copy of text messages dated February 10, 2019, sent from Mr. De Niro to Ms. Robinson, as produced by Defendants at CANAL\_0048542-CANAL\_0048543.

10. Attached as Exhibit 7 is a true and correct copy of correspondence dated March 25, 2019, April 2, 2019, and April 8, 2019, involving Ms. Robinson, Mr. De Niro, and Canal employees Dan Harvey, Lulu White, and Gillian Spear, as produced by Defendants at CANAL\_0025635 and CANAL\_0025603-CANAL\_0025604.

11. Attached as Exhibit 8 is a true and correct copy of time records that Ms. Robinson created and emailed to herself between August 28, 2016 and April 6, 2019, as produced by Plaintiff at ROBINSON\_00001676-ROBINSON\_00001822. Plaintiff's economic expert Joseph DeCusati analyzed these time records and determined that "records maintained by Ms. Robinson indicate that she worked an average of approximately 64 hours per week during the period for which reasonable time records were consistently maintained (beginning with the pay period ending August 28, 2016)."

12. Attached as Exhibit 9 is a screenshot taken by Ms. Robinson, as produced by Plaintiff at ROBINSON00014876, showing multiple emails received from Mr. De Niro and Mr. De Niro's girlfriend, Tiffany Chen between the times of 8:57 p.m. and 9:38 p.m.

13. Attached as Exhibit 10 is a true and correct copy of correspondence dated June 9, 2013, involving Ms. Robinson, Mr. De Niro, and Canal employees Olivia Jampol and Michael Kaplan, as produced by Plaintiff at ROBINSON00008018.

14. Attached as Exhibit 11 is a true and correct copy of excerpted pages from the transcript of the deposition of Tiffany Chen, taken on March 30, 2022.

15. Attached as Exhibit 12 is a true and correct copy of correspondence dated December 14, 2013, December 25, 2013, and December 26, 2013, involving Ms. Robinson, Mr. De Niro, and Mr. De Niro's cousin, as produced by Defendant at CANAL\_0038055-CANAL\_0038056.

16. Attached as Exhibit 13 is a true and correct copy of correspondence dated January 11, 2019, involving Ms. Robinson, Mr. De Niro, and Mr. De Niro's girlfriend, Tiffany Chen, as produced by Defendants at CANAL\_0046062.

17. Attached as Exhibit 14 is a true and correct copy of correspondence dated August 7, 2018, involving Ms. Robinson and Mr. De Niro, as produced by Defendants at CANAL\_0046014-CANAL\_0046016.

18. Attached as Exhibit 15 is a true and correct copy of correspondence dated October 9, 2015, involving Ms. Robinson, Mr. De Niro, and a third party, as produced by Defendants at CANAL\_0046942-CANAL\_0046943.

19. Attached as Exhibit 16 is a true and correct copy of correspondence dated January 9, 2014, involving Ms. Robinson, Mr. De Niro, Mr. De Niro's wife Grace Hightower De Niro, Canal employees Nellie Norden and Christine O'Leary, and third parties Stan Rowell and Ilan Green, as produced by Defendants at CANAL\_0038107-CANAL\_0038108.

20. Attached as Exhibit 17 is a true and correct copy of correspondence dated May 24, 2017 and May 31, 2017, involving Mr. De Niro, Mr. De Niro's son Raphael De Niro, and third party Toby Pearce, as produced by Defendants at CANAL\_0045896-CANAL\_0045897.

21. Attached as Exhibit 18 is a true and correct copy of correspondence dated November 3 and 4, 2017, involving Ms. Robinson and Mr. De Niro, as produced by Defendants at CANAL\_0047004.

22. Attached as Exhibit 19 is a true and correct copy of correspondence dated April 17, 2017, April 18, 2017, April 19, 2017, April 20, 2017, and April 24, 2017, involving Ms. Robinson, Canal employees Morgan Billington and Gillian Spear, and third party Mary Grable, as produced by Defendants at CANAL\_0018287-CANAL\_0018291.

23. Attached as Exhibit 20 is a true and correct copy of correspondence dated March 14, 2019, involving Ms. Robinson, Mr. De Niro, and Mr. De Niro's girlfriend Tiffany Chen, as produced by Defendants at CANAL\_0047093.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 29, 2022.



Alexandra Harwin